

IT IS ORDERED

Date Entered on Docket: June 16, 2015



The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

IN RE:

Kaye Elizabeth Sandford

Debtor

Case No. 10-14424-t7

DEFAULT ORDER GRANTING ABANDONMENT OF PROPERTY LOCATED
AT 20 Camino De Los Cabrerros, Galisteo, NM 87540

This matter came before the Court on the Motion to Compel Abandonment filed on 5/18/2015, Docket No. 424, (the “Motion”) by LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-2N, U.S. Bank National Association, as Trustee (“Movant”). The Court, having reviewed the record and the Motion, and being otherwise sufficiently informed, FINDS:

(a) On 5/18/2015, Movant served the Motion and notice of the Motion (the “Notice”) on counsel of record for Debtor, Kaye Elizabeth Sandford, and the case trustee, Yvette J. Gonzales, (the “Trustee”) by use of the Court’s case management and electronic

filing system for the transmission of notices, as authorized by Fed.R.Civ.P. 5(b)(3) and NM LBR 9036-1, and on the Debtor(s) and US Trustee by United States first class mail, in accordance with Bankruptcy Rules 7004 and 9014.

(b) The Motion relates to the following property:

20 Camino De Los Cabrerros
Galisteo, NM 87540

(c) The Notice specified an objection deadline of 21 days from the date of service of the Notice, to which three days was added under Bankruptcy Rule 9006(f);

(d) The Notice was sufficient in form and content;

(e) The objection deadline expired on 6/12/2015.

(f) As of 6/15/2015, neither the Debtor nor the Trustee, nor any other party in interest, filed an objection to the Motion;

(g) The Motion is well taken and should be granted as provided herein; and

(h) By submitting this Order to the Court for entry, the undersigned counsel for Movant certifies under penalty of perjury that on 6/12/2015 McCarthy & Holthus, LLP searched the data banks of the Department of Defense Manpower Data Center ("DMDC") and found that the DMDC does not possess any information indicating that the Debtor is currently on active military duty of the United States.

IT IS THEREFORE ORDERED:

1. The Property is abandoned and is no longer property of the estate in accordance with 11 U.S.C. §554.

2. The Movant is rewarded its attorneys' fees, costs and interest herein incurred and expended.

3. Movant may enforce rights in the Property, including foreclosure of liens and a foreclosure sale, under the terms of any prepetition notes, mortgages, security agreements, and/or other agreements to which Debtor is a party, to the extent permitted by applicable non-bankruptcy law, such as by commencing or proceeding with appropriate action against the Debtor or the Property, or both, in any court of competent jurisdiction; and to exercise any other right or remedy available to them under law or equity with respect to the Property.

###END OF ORDER###

RESPECTFULLY SUBMITTED BY:

/s/ Umair Malik

**McCarthy & Holthus, LLP
Jeannette M. Whittaker, Esq.
Umair Malik, Esq.
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**/s/ submitted electronically 6/16/2015
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Copies to:

DEBTOR

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CASE TRUSTEE

Yvette J. Gonzales
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US TRUSTEE

PO Box 608
Albuquerque, NM 87103-608

SPECIAL NOTICES

JPMorgan Chase Bank, National Association
Little, Bradley & Nesbitt, P.A.
P.O. Box 3509
Albuquerque, NM 87190

Los Alamos National Bank
c/o Atty R. Daniel Castille
1200 Trinity Dr.
Los Alamos, NM 87544

Sterling Bank
5120 San Francisco Rd NE
Albuquerque, NM 87109

US Bank National Association as holder of First Mortgage on Vista Clara Ranch
4811-A Hardware Drive NE
Suite 4
Albuquerque, NM 87109

SPECIAL NOTICE

GE Money Bank
claims@recoverycorp.com